IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 18458 of 2007(V)

PETITIONER:

SIVADASAN E.P.,
HEAD MASTER, ANMUP SCHOOL, GOKHALE NAGAR,
MYLAMBADI, MEENANGADI, WAYANAD DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.C.P.SIVADASAN NAIR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO GOVT., DEPARTMENT OF GENERAL
EDUCATION, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. ASSISTANT EDUCATIONAL OFFICER,
SULTHAN BATHERY, WAYANAD DISTRICT.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.18458 OF 2007

Dated this the 27th day of June, 2007

JUDGMENT

Petitioner claims that he was appointed as Headmaster in A.N.M.U.P.School, Gokhale Nagar with effect from July 30, 1982 as revealed from Ext.P1. According to him, he had passed the account test in the year 1985. His grievance is that he is not being given Headmaster's scale with effect from the date of his appointment.

2. I do not propose to deal with the above and other contentions raised by the petitioner in support of his plea that he is entitled to get the entire benefits as claimed by him on the strength of Ext.P4 order of the Supreme Court, and also Exts.P4(a), P5 and P6 orders of the Government, in view of the submission made by the learned counsel that petitioner will be satisfied, if an appropriate direction is issued to respondent no.1 to take a decision on the representation that the petitioner is prepared to file within two weeks from today.

3. In the above facts and circumstances, writ petition is disposed of with a direction that the petitioner shall submit his representation within two weeks from today before respondent no.1 in which it will be open to him to put forth his claim. If such a representation is received, respondent no.1 shall take a decision thereon strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within four months from that date of receipt thereof. While passing orders in the matter, the Government may keep in view Exts.P4 to P6. Needless to mention that petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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